

### REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed July 8, 2004. Applicant respectfully requests reconsideration and favorable action in this case.

### Drawing Objections

Applicant has included a markup and replacement sheet 1 of drawings. Replacement FIGURE 1 has been amended to include textual labels according to the Examiner's suggestion. While applicant does not believe such labels are necessary to understand the drawings as, for example, the reference numeral 22 is sufficient to identify the "client computer," Applicant has added textual labels as the Examiner believes they would be helpful.

### Rejections under 35 U.S.C. § 102

Claims 1-6, 9-12, 14-22, 25-34 and 37-43 stand rejected as anticipated by U.S. Patent Application No. 20030101223A1 ("Pace").

Claims 1, 16, 30 and 41 have been amended to recite that the determination of whether a cached file has been modified is "based on a notification from a file management system of an operating system." As would be understood by those of ordinary skill in the art, the file management system is the system that the operating system uses to manage or keep track of files. According to these claims, the file management system of an operating system sends a notification of the modification of the cached file. Thus, for example, the notification would come from the file management system of a Windows operating system (i.e., from a portion of the operating system itself), as opposed to coming from an application that runs on in the Windows operating system and that is programmed to communicate with the cache manager. As notification is done by the file management system of the operating system, the notification can be sent regardless of the application modifying the cached file. Therefore, the applications themselves do not have to be specifically configured to generate a notification that a cached asset has been modified. Consequently, the present invention, according to the independent claims, can be utilized to synchronize cached assets that are modified by an "off the shelf" application that has not been specifically programmed to interact with the cache manager.

In rejecting this feature of the present invention, the Examiner points to Pace at paragraph 827 (in the rejections of Claims 3, 20, and 31) and paragraph 700 (in the rejection of

Claim 42) stating that the caching agent method notifies the proper sub-systems that a change has occurred in the asset cache. Paragraph 827 reads:

In step 2530, the CAM may be requested to store an asset in the asset cache. In a preferred embodiment, the CAM performs the functionality that is required to store the asset, and manage the cache, including: deleting old assets, updating database tables, and notifying the proper subsystems that a change has occurred in the asset cache.

The CAM is the caching agent method and the caching agent is an agent that is part of the CDS/ADS. See paragraph [0764]. The caching agent is an agent that can be part of the CDS/ADS. The CDS/ADS appears to be a distribution server that can include several executable agents, such as the caching agent that performs the caching agent method. Applicant, however, is unable to find any teaching or suggestion that the caching agent is part of the file management system of the operating system. If the Examiner disagrees, Applicant respectfully requests that the Examiner point out how the caching agent is part of the file management system of the underlying operating system upon which the caching agent executes. Otherwise, Applicants respectfully submit that the section of Pace cited by the Examiner does not anticipate or make obvious independent claims 1, 16, 30 and 41.

In paragraph 700 a database management system (DBMS) notifies a CDA that an asset has changed. Database management systems are typically applications running in an operating environment. In other words a DBMS is not part of the file management system, but is an application that runs on a given operating system, such as Windows NT. In the case of Pace, the application (i.e., the DBMS) must be programmed to send notifications to the CDA that an asset has changed.

Applicant is unable to find any teaching or suggestion in Pace that the DBMS is part of the file management system of the operating system as opposed to a separate application running on the operating system. Thus, Pace, at most, teaches that the determination can be made based on a notification sent by a specifically programmed application running on the operating system. The present invention provides an advantage over systems such as that of Pace in that the present invention does not require specifically programmed applications to send notifications, but can rely on the operating system's file management system and can therefore receive notifications based on changes made by any application running on the operating system. If the Examiner disagrees, Applicant respectfully requests that the Examiner point out where Pace teaches that the notification that a cached asset has been modified

comes from the file management system of the operating system as opposed to an application such as a DBMS. Otherwise, Applicants respectfully submit that Pace does not anticipate or make obvious Claims 1, 16, 30 and 41.

#### New Claims

New Claim 44 has been added to more particularly point out distinguishing features of the present invention. More specifically, Claim 44 recites that a software program can determine if the cached file has been modified by polling the cached asset according to a predefined schedule and Claim 45 has recites that a software program can determine if the cached file has been modified by polling the cached asset according to a predefined frequency. The predefined schedule can specify how often, (e.g., the frequency with which) a cached asset is polled. The schedule can specify, for example, a particular frequency of polling to optimize resources of the client computer. One of ordinary skill in the art would understand from, for example, paragraphs [0033] and [0046] of the present invention that polling includes reviewing the state of a cached asset multiple times by, for example, repetitively checking the time-stamp associated with a file. The cache manager can thus poll the cached asset without outside prompting to determine if the cached asset has changed.

Applicants submit that paragraphs 790-793, 534 and 827 of Pace (cited by the Examiner in rejecting Claims 4, 21, and 43), on the other hand, do not teach polling a cached asset according to a predetermined schedule or frequency. Pace describes a publishing agent method (PAM), described at paragraph 789 et seq. that is at the asset source (the EIS). The PAM wraps up discovery, versioning and export, functions, which are depicted at the source in FIGURE 2A of Pace. The versioning process of the PAM (i.e., the VAM) is described at paragraphs [0582] et seq. in conjunction with FIGURE 16A. The PAM can receive a request for versions and determine the version of specific assets that exist at the source based, for example, on a time-stamp. Thus, the PAM waits for a request for a version and determines the version of an asset at the source based on the time-stamp. If the version at the EIS is newer than the version in the cache, the cached version is updated.

Thus, in the process cited by the Examiner, the PAM checks version information of the asset at the source, rather than the cached asset at a client computer, to determine if the asset at the source has been modified as opposed to determining if the cached asset has been modified. Moreover, according to Applicants' reading, the PAM checks the version of the asset randomly, when it receives a version request, and does not poll a cached asset according to a predefined schedule or with a predefined frequency. If the Examiner disagrees, Applicant


respectfully requests that the Examiner point out where Pace teaches, "polling the cached asset" according to "a predefined schedule" or "predefined frequency" to determine if the cached asset has changed. Otherwise, Applicants request that the Examiner allow Claims 44 and 45.

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of the pending claims. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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FIG. 1

